

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**U.S. NAVY SEALs 1–26, et al.,**

**Plaintiffs,**

**v.**

**LLOYD J. AUSTIN, III, et al.,**

**Defendants.**

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**Civil Action No. 4:21-cv-01236-O**

**ORDER**

On February 6, 2023, Defendants filed their Assertion of Mootness (ECF No. 221). Plaintiffs filed their Response (ECF No. 224) on February 13, 2023, and Defendants filed their Reply (ECF No. 226) on February 21, 2023. In their Reply, Defendants argue that the Navy’s newly updated standard operating guidance, issued on February 15, 2023, further reinforces their position that all of Plaintiffs’ claims are moot. Since Defendants’ position is based on new facts, Plaintiffs should have an opportunity to respond. Plaintiffs **SHALL** file a sur-reply addressing Defendants’ new arguments **no later than March 8, 2023**.

**SO ORDERED** on this **22nd day of February, 2023**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE